

Filed 10/21/20 by Clerk of Supreme Court

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2020 ND 211

Omar Toure, Petitioner and Appellant

v.

State of North Dakota, Respondent and Appellee

No. 20200040

Appeal from the District Court of Williams County, Northwest Judicial District, the Honorable Benjamin J. Johnson, Judge.

AFFIRMED.

Per Curiam.

Steven Balaban, Bismarck, ND, for petitioner and appellant.

Nathan K. Madden, Assistant State's Attorney, Williston, ND, for respondent and appellee; submitted on brief.

Toure v. State
No. 20200040

Per Curiam.

[¶1] Omar Toure appeals from a district court order denying his application for post-conviction relief. Following a post-conviction hearing, the court found Toure failed to demonstrate any prejudice from the alleged errors of his trial counsel and therefore failed to satisfy the *Strickland* test for ineffective assistance of counsel. *Strickland v. Washington*, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). The court did not clearly err in denying Toure’s application for post-conviction relief. We summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Jon J. Jensen, C.J.
Daniel J. Crothers
Gerald W. VandeWalle
Jerod E. Tufte
Lisa Fair McEvers